

CLEARANCES		Date	Date Received in Council Office	Agenda Date	Assigned To
Orig. Dept.:	County Council	6/23/99	RECEIVED JUN 23 1999 WHATCOM COUNTY COUNCIL	6/29/99	Introduction
Division Head:				7/13/99	Finance/Council
Dept. Head:					
Prosecutor:	KNF	7/7/99			
Budget:					
Executive:					

SUBJECT:

Ord. amending Title 3, to provide for a rural county sales and use tax

ATTACHMENTS

SUMMARY STATEMENT:

Related County Contract #:	Should the Clerk schedule a hearing? (Y/N)	Requested Date:
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Ordinance amending Whatcom County Code Title 3, to provide for collection and administration of a rural county sales and use tax. This tax will provide funds for financing public facilities without increasing the amount of sales and use tax due from consumers. This tax would begin August 1, 1999 and expire July 31, 2024.

RECOMMENDED MOTION (for final action):

COUNCIL ACTION TAKEN:

1999 - 250 6/29/99: Introduced
 7/13/99: Amended and Adopted 7-0 Ord. #99-032

Related File Numbers:

Ordinance or Resolution Number (this item only):

ORD. #99-032

4 ORDINANCE NO. 99-032

5
6 AMENDING WHATCOM COUNTY CODE TITLE 3
7 TO PROVIDE FOR IMPLEMENTING LOCAL OPTION
8 FOR RETAINING SALES AND USE TAX
9

10 WHEREAS, the Washington State Legislature has found that while
11 Washington's economy is currently prospering, economic growth continues to
12 be uneven, particularly as between metropolitan and rural areas; and
13

14 WHEREAS, the State Legislature has resolved to use resources
15 strategically to build on our state's strengths while addressing threats to our
16 prosperity by providing rural counties that have fewer financial resources with
17 which to address inadequacies in infrastructure caused by the impact of the
18 Growth Management Act; and
19

20 WHEREAS, the State Legislature desires and intends to assist such rural
21 counties in meeting the infrastructure needs required in a growing economy by
22 providing Whatcom County financial assistance to rural counties by allowing the
23 shifting of sales tax revenues from state coffers to local county budgets; and
24

25 WHEREAS, the State Legislature has provided an opportunity for rural
26 counties to retain sales tax revenues that would normally be directed to the
27 state government per RCW 82.14.370; and
28

29 WHEREAS, Whatcom County comes under the definition of "rural county"
30 by virtue of its population density being less than one hundred persons per
31 square mile.
32

33 NOW, THEREFORE, BE IT ORDAINED, Whatcom County does hereby
34 implement immediately the provisions of RCW 82.14.370 for the purpose of
35 collecting and retaining .04% until December 31, 1999, and retaining .08%
36 beginning January 1, 2000, for local county use in financing public facilities as
37 provided by law.
38

39 BE IT FURTHER ORDAINED that these funds shall be deducted from the
40 tax already collected or paid to Department of Revenue under RCW 82.08 and
41 82.12.

1 BE IT FURTHER ORDAINED that these funds shall be deducted from
2 the tax already collected or paid to Department of Revenue under RCW
3 82.08 and 82.12.

4
5 BE IT FINALLY ORDAINED that Whatcom County Code Title 3 is hereby
6 amended to include Chapter 3.34, Public Utilities Improvement Fund, as
7 outlined in Exhibit A to this ordinance.

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9
10
11 ADOPTED this 13 day of July, 1999.

12
13
14 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

15
16
17 

18
19
20 Dana Brown-Davis, Clerk of the Council
21 Chair



22
23
24 Marlene Dawson, Council

25 APPROVED AS TO FORM:

() Approved () Denied

26
27 

28
29
30 Civil Deputy Prosecutor

 PRO-TEM
for Pete Kremen, County Executive

31
32 Date: 7.13.1999
33

1
2
3
4 **EXHIBIT A**

5
6 **Chapter 3.34, Capital Improvement Fund**

7 **3.34.010 Sales or Use Tax Imposed.** Pursuant to RCW 82.14.370, there is hereby
8 imposed a sales or use tax, as the case may be, upon every taxable event, as defined in
9 RCW 82.14.020, occurring within Whatcom County. The tax shall be imposed upon and
10 collected from those persons from whom the state sales or use tax is collected pursuant
11 to RCW 82.08 or RCW 82.12. The tax imposed by this section is in addition to that
12 imposed under WCC 3.30 and shall take effect immediately upon approval, and shall
13 expire July 31, 2024.

14 **3.34.020 Tax Rate.** The rate of the tax imposed by this ordinance on each taxable
15 event shall be .04% through December 31, 1999 and .08% beginning January 1, 2000
16 through July 31, 2024, applied to the selling price or value of the article used, as the
17 case may be.

18
19 **3.34.030 Credit Provision.** The amount of tax so determined and collected shall be
20 deducted, as provided in RCW 82.14.370(2), from the amount of tax otherwise required
21 to be collected or paid over to the State Department of Revenue under RCW 82.08 or
22 82.12.

23
24 **3.34.040 Administration and Collection of Tax.** The tax imposed by this
25 ordinance shall be administered and collected in accordance with RCW 82.14.050. The
26 Whatcom County Executive is authorized and directed to execute any contracts with the
27 Department of Revenue that may be necessary to provide for the administration or
28 collection of the tax.

29
30 **3.34.050 Deposit and Use of Proceeds.** The proceeds of the tax imposed by this
31 ordinance and any interest of other accretions thereon, shall be deposited and credited
32 to a special fund in Whatcom County to be known as the **Capital Improvement Fund**,
33 which is hereby created. Expenditures from such fund shall be used only for the
34 purposes authorized by the laws of the State of Washington, including but not limited to,
35 the cost of construction, acquisition, or operation of public facilities in Whatcom County,
36 or to pay or secure the payment of all or any portion of general obligation bonds or
37 revenue bonds issued for such purposes as provided for in RCW 82.14.370(3).

38
39 **3.34.060 Referendum Procedure.** The term "filing officer" as used in RCW
40 82.14.036, to the extent such term shall apply to the tax imposed under this chapter,
41 shall mean the Whatcom County Auditor.

42
43 **3.34.070 Effective Date and Expiration Date.** This ordinance shall take effect
44 immediately upon approval, and shall expire on July 31, 2024.

45
46 **3.34.080 Severability.** The provisions of this ordinance are intended to be
47 severable. If any provision hereof, or the application thereof to any person, is hereafter
48 determined to be invalid, such determination shall not affect the operation of any of the
49 other provisions nor the application thereof to other persons.